

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

IN RE:) Chapter 13
)
Stacy Bertrand,) Case No. 19-02335
)
Debtor(s).) Judge Doyle

NOTICE OF MOTION

The following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov
Tom Vaughn, Ch. 13 Trustee: ecf@tvch13.net, ecfchi@gmail.com, courtmail@tvch13.net

The following persons or entities who have been served via U.S. Mail:

See attached list.

PLEASE TAKE NOTICE that on March 16, 2021, at 9:30 A.M., I will appear before the Honorable Judge Doyle or any judge sitting in that judge's place, and present the **Motion to Modify Chapter 13 Plan**, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com>. Then enter the meeting ID.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID.

Meeting ID and password. The meeting ID for this hearing is **161 155 8289** – Password is "**Doyle742**". The meeting ID and further information can also be found on Judge Doyle's web page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

PROOF OF SERVICE

The undersigned certifies that a copy of this Notice of Motion and attachments were deposited at the United States Post Office, Wheeling, Illinois, 60090, on or before February 23, 2021, at 5:00 p.m., with sufficient postage prepaid, or served electronically by the bankruptcy court, under oath and under all penalties of perjury.

/s/ Alexander Preber
Alexander Preber, A.R.D.C. #6324520
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES
790 Chaddick Drive
Wheeler, IL 60090
847/520-8100

To the following persons or entities who have been served via first-class U.S. Mail:

Stacy Bertrand
478 Prestwick Ln
Wheeling, IL 60090

CEP AMERICA ILLINOIS LLP
WAKEFIELD AND ASSOCIATES
PO BOX 50250
KNOXVILLE, TN 37950-0250

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Illinois lending corp
701 LEE ST.
SUITE 570
DESPLAINES, IL 60016

Illinois Department of Revenue Bankruptcy
Section
PO Box 19035
Springfield, IL 62794-9035

U.S. Department of Education
c/o FedLoan Servicing
P.O. Box 69184
Harrisburg, PA 17106-9184

The Illinois Tollway
PO Box 5544
Chicago, IL 60680

SANTANDER CONSUMER USA INC.
P.O. BOX 961245
FORT WORTH, TX 76161

IRS
Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Capital One Bank (USA), N.A.
4515 N Santa Fe Ave
Oklahoma City, OK 73118

Commonwealth Edison Company
Bankruptcy Department
1919 Swift Drive
Oak Brook, IL 60523

Capital One, N.A.
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

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MOTION TO MODIFY CHAPTER 13 PLAN

NOW COME the debtor, Stacy Bertrand, by and through her attorneys, DAVID M. SIEGEL AND ASSOCIATES, to present this Motion, and in support thereof states as follows:

- 1) Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
- 2) On January 28th, 2019, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on June 4, 2019. Tom Vaughn was appointed Trustee in this case.
- 3) The Debtor's Chapter 13 plan currently provides for payments of \$400.00 for an initial plan term of 36 months, with payments to the General Unsecured Creditors of at least 10% of their allowed claims.
- 4) The Debtor has paid \$5,709.30 into her Chapter 13 plan over the 25 months since the case was filed.
- 5) The Debtor is currently in default in the amount of \$2,427.64.
- 6) The Debtor fell behind when she was let go at her job around 3/2020. There was a delay in her unemployment that caused her to get behind on her necessary household expenses, as well as her bankruptcy payments.
- 7) The Debtor has modified her monthly budget for her unemployment income and is now able to make the monthly bankruptcy payments. However, she cannot cure the current default in a timely manner.

- 8) The Debtor proposes to modify her Chapter 13 plan pursuant to 11 U.S.C. §1329 to defer the plan payment default to the end of the plan. Debtor makes this proposal in good faith and with the intention of completing her Chapter 13 plan.
- 9) Deferring the plan payment default will not cause the confirmed Chapter 13 plan to run longer than 60 months and will continue to pay General, Unsecured Creditors at least 10% of their allowed claims.

WHEREFORE, the Debtor, Stacy Bertrand, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan, and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Alexander Preber
Alexander Preber, A.R.D.C. #6324520
Attorney for the Debtor(s)

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